16756

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE NONJUDICIAL CIVIL FORFEITURE PROCEEDING REGARDING \$32,470.00 IN UNITED STATES CURRENCY SEIZED ON OR ABOUT December 18, 2015

STIPULATION AND ORDER

16 Misc.

USDC SDNY
DOCUMENT
ELECTRONICALLY FHLED
DOC #:
DATE FILED: 10 - 14-16

WHEREAS, on or about December 18, 2015, the United States Postal Service seized a Priority express mail parcel containing \$32,470.00 in United States currency (the "Seized Currency"); and

WHEREAS, the United States Postal Service ("USPS") initiated an administrative forfeiture action against the Seized Currency by serving notice of the action and advertising the seizure; and

WHEREAS, on or about March 11, 2016, USPS received a claim from Christopher Coote, in the administrative forfeiture action, asserting ownership of the Seized Currency and opposing the forfeiture;

WHEREAS, USPS subsequently referred the matter to the United States Attorney's Office for judicial forfeiture;

WHEREAS, no other party has claimed an interest in the Seized Currency;

WHEREAS, Title 18, United States Code, Section, 983(a)(3)(A) provides that, "[n]ot later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a Court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties";

WHEREAS, pursuant to Title 18, United States Code, Section, 983(a)(3), the United States is required to file a civil complaint to forfeit the Seized Funds no later than June13, 2016;

WHEREAS, the Government, by and through Assistant United States Attorney Noah Falk, and Claimant, Christopher Coote, by and through his attorney, Richard A. Portale, Esq., are discussing a possible disposition of this case;

WHEREAS, Christopher Coote, through counsel, has consented to an extension of the deadline for the Government to

file a complaint against the Seized Currency in order to continue those discussions; and

WHEREAS, the Government requests an extension of 30 days to file a complaint from June 13, 2016 to July 13, 2016;

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NOW, THEREFORE, IT IS HEREBY ORDERED, upon agreement of the aforementioned parties and pursuant to Title 18, United States Code, Section 983(a)(3)(A), that the time in which the Government is required to file a complaint for forfeiture of the Seized Currency is extended from June 13, 2016, up to and including July 13, 2016.

AGREED AND CONSENTED TO:

PREET BHARARA

United States Attorney for the Southern District of New York Attorney for Plaintiff

By:

NOAH FALK

Assistant United States Attorney
One St. Andrew's Plaza

New York, New York 10007

Tel.: (212) 637-1085

DATE

CLAIMANT

By:

CHRISTOPHER COOTE

Claimant

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Ву:

RICHARD A PORTALE, ESQ

Attorney for Claimant

Law Offices of Richard A. Portale, P.C.

11 Martine Avenue, $8^{\rm th}$ Floor White Plains, New York 10606

Telephone: 914-831-6220

SO ORDERED:

HOMOBABLE P. KEVAN CASTEL

UNITED STATES DISTRICT JUDGE, PART I

6-14-16 DATE